

EXHIBIT 10

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9 *Attorneys for Plaintiff*
10 FINJAN, INC.

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

15 FINJAN, INC., a Delaware Corporation,

16 Plaintiff,

17 v.

18 JUNIPER NETWORKS, INC., a Delaware
19 Corporation,

20 Defendant.

Case No.: 3:17-cv-05659-WHA

**PLAINTIFF FINJAN, INC.’S INITIAL
DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS
AND DOCUMENT PRODUCTION
PURSUANT TO PATENT LOCAL RULES
3-1 AND 3-2**

1 Pursuant to Patent Local Rules 3-1 and 3-2 of the United States District Court for the Northern
2 District of California, Plaintiff Finjan, Inc. (“Finjan”) makes the following Initial Disclosure of
3 Asserted Claims and Infringement Contentions and Document Production Accompanying Disclosure,
4 including the attached claim charts (the “Disclosure”) to Juniper Networks, Inc. (hereinafter “Juniper”
5 or “Defendant”).

6 Finjan makes this Disclosure based upon information presently known and reasonably available
7 to it as of this date, as Finjan’s investigations are ongoing and Defendant has yet to provide any
8 discovery. Accordingly, Finjan reserves the right to amend, modify, supplement, or narrow any
9 portion of this Disclosure, including, but not limited to, the identification of the claims infringed by
10 Defendant, the products and/or services accused of infringement and the bases and manner of
11 infringement described in this Disclosure. Finjan reserves the right to supplement this Disclosure as
12 necessary and as appropriate in accordance with the Federal Rules of Civil Procedure and this Court’s
13 Local Rules, including Patent Local Rule 3-6, in light of future document production, interrogatory
14 responses, admissions, disclosures, contentions, fact witness testimony, expert discovery, any other
15 discovery, future rulings from the Court (including claim construction), any amendments to the
16 pleadings, any additional items of evidence, and/or for any other reason authorized by statute, rule, or
17 applicable case law. Finjan further reserves the right to rely upon the opinions of one or more experts
18 in support of its infringement contentions in accordance with the Court’s scheduling order.

19 To the maximum degree allowed by the Federal Rules of Civil Procedure and the Court’s Local
20 Rules, Finjan reserves its right to supplement, amend, modify and/or narrow this Disclosure, as
21 appropriate, as the extent of infringement becomes more fully known, the Court makes any relevant
22 rulings (including claim construction), and the case develops over the course of discovery.

23 **I. PATENT L.R. 3-1: DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT**
24 **CONTENTIONS.**

25 **A. Identification Of Asserted Claims And Applicable Subsections Of 35 U.S.C. § 271.**

26 Finjan provides the following contentions pursuant to Patent Local Rule 3-1(a):
27
28

1 Defendant directly infringed pursuant to 35 U.S.C. § 271(a) claims 1, 15, and 41 of U.S. Pat.
2 No. 6,154,844 (“the ‘844 Patent”), claims 1 and 9 of U.S. Patent No. 6,804,780 (“the ‘780 Patent”),
3 claims 15 and 22 of U.S. Patent No. 7,613,926 (“the ‘926 Patent”); claims 1, 8, 14, and 19 of U.S.
4 Patent No. 7,647,633 (“the ‘633 Patent”), claim 1 of U.S. Patent No. 8,141,154 (“the ‘154 Patent”),
5 and claims 10, 14, 16, and 18 of U.S. Patent No. 8,677,494 (“the ‘494 Patent”), collectively (the
6 “Asserted Claims”).

7 Finjan reserves the right to amend, modify, supplement, or narrow these contentions, as
8 appropriate, pursuant to Patent Local Rule 3-6, including identifying additional asserted claims, as it
9 obtains additional information over the course of discovery and in light of the Court’s claim
10 construction order.

11 **B. Identification Of Accused Instrumentalities.**

12 Finjan provides the following contentions pursuant to Patent Local Rule 3-1(b):

13 Finjan accuses the following of Defendant’s products and/or services, and associated software
14 and subscriptions, of infringing claims 1, 15, and 41 of the ‘844 Patent: SRX Gateways¹, Space
15 Security Director², Sky ATP³, ATP Appliances⁴, and Spotlight Secure service identified in the
16 attached Appendices A-1 through A-3 (“Accused Instrumentalities of the ‘844 Patent”).

17 Finjan accuses the following of Defendant’s products and/or services, and associated software
18 and subscriptions, of infringing claims 1 and 9 of the ‘780 Patent: SRX Gateways, Space Security
19 Director, Sky ATP, ATP Appliances, and Spotlight Secure service, identified in the attached
20 Appendices B-1 through B-3 (“Accused Instrumentalities of the ‘780 Patent”).

21 _____
22 ¹ A list of accused “SRX Gateways” (also called “SRX Series Services Gateways”) are provided in
23 Exhibit A attached hereto, and are collectively referred to as “SRX Gateways” or “SRX Series
24 Services Gateways.”

24 ² A list of the accused “Space Security Director” products is provided in Exhibit A attached hereto, and
25 are collectively referred to as “Space Security Director.”

25 ³ A list of the accused Sky ATP service is provided in Exhibit A attached hereto, and are collectively
26 referred to as “Sky ATP.”

26 ⁴ A list of the accused ATP Appliance products is provided in Exhibit A attached hereto, and are
27 collectively referred to as “ATP Appliances.”
28

1 Finjan accuses the following of Defendant's products and/or services, and associated software
2 and subscriptions, of infringing claims 15 and 22 of the '926 Patent: SRX Gateways, Sky ATP, ATP
3 Appliances, Space Security Directory, and Spotlight Secure service, identified in the attached
4 Appendices C-1 through C-3 ("Accused Instrumentalities of the '926 Patent").

5 Finjan accuses the following of Defendant's products and/or services, and associated software
6 and subscriptions, of infringing claims 1, 8, 14, and 19 of the '633 Patent: SRX Gateways, Sky ATP,
7 and ATP Appliances, identified in the attached Appendices D-1 through D-3 ("Accused
8 Instrumentalities of the '633 Patent").

9 Finjan accuses the following of Defendant's products and/or services of infringing claim 1 of
10 the '154 Patent: SRX Gateways, Sky ATP, ATP Appliances, and Spotlight Secure service, identified in
11 the attached Appendices E-1 through E-3 ("Accused Instrumentalities of the '154 Patent").

12 Finjan accuses the following of Defendant's products and/or services, and associated software
13 and subscriptions, of infringing claims 10, 14, 16, and 18 of the '494 Patent: SRX Gateways, Sky ATP,
14 ATP Appliances, and Spotlight Secure service, identified in the attached Appendices F-1 through F-3
15 ("Accused Instrumentalities of the '494 Patent") (collectively, the "Accused Instrumentalities").

16 The above identification is based on the information publicly available to Finjan as of the date
17 hereof. Finjan anticipates that discovery may reveal additional products, features and/or services that
18 infringe the patents-in-suit. Finjan reserves the right to amend, modify, supplement, or narrow these
19 contentions pursuant to Patent Local Rule 3-6, if necessary and appropriate, including identifying
20 additional products, features and/or services, as it obtains additional information over the course of
21 discovery and in light of the Court's claim construction order.

22 **C. Claim Charts Identifying Claim Elements Present In Accused Instrumentalities.**

23 Finjan provides the following appendices pursuant to Patent Local Rule 3-1(c):

24 The attached Appendices A-1 through A-3 (which show how the Accused Instrumentalities of
25 the '844 Patent and other products/services infringe each of the asserted claims of the '844 Patent),
26 Appendices B-1 through B-3 (which show how the Accused Instrumentalities of the '780 Patent and
27 other products/services infringe each of the asserted claims of the '780 Patent), Appendices C-1

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